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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/655,096	09/04/2003	Swee M. Mok	CML00577T (78580)	6889

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CHICAGO, IL 60603-3406

EXAMINER

RAO, SHEELA S

ART UNIT	PAPER NUMBER
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2125

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/655,096

Applicant(s)

MOK ET AL.

Examiner

Sheela Rao

Art Unit

2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 September 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/26/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-30 are pending and presented for examination.
2. Applicant's submission of references on form PTO-1449 has been considered. A signed copy of the form is attached.

Specification

3. The disclosure is objected to because of the following informalities:

Applicant is advised to refer to 37 CFR 1.77(b) regarding the arrangement of the specification. In reviewing the disclosure, it appears that the "Brief Summary of Invention" has been improperly placed and combined with the "Detailed Description" portion of the specification. Line 21 of page 3 through line 29 of page 4 should be placed in a section titled "Brief Summary" as a succinct description of the preferred embodiments of the claimed invention are presented. Beginning with line 30 of page 4, the descriptive portion of the pertinent drawings is made, which is the "Detailed Description" of the claimed invention. The two portions as per 37 CFR 1.77(b) are different one from the other and should not be combined.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 8-10, 12, 13, 15-17, and 21-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 8, 9, 10, 12, and 27-29 are all directed to a structured product coding system node that is part of a hierarchical or assembly/disassembly tree; claims 13, 15, and 21-26 are all directed to the prediction of the cost of the given product; claims 16 and 17 are directed to the de-fabrication procedure

and the facilitation of inventory control, respectively. The aforementioned claims all lack proper and sufficient nexus between the claimed limitations with that of the limitations of the related independent claims, claims 1 and 18. Due to the lack of sufficient correspondence, the use and purpose of the claimed limitations of these claims is not clear and definite. Furthermore, a statement of desired result where a limitation has no support within the claim language itself is not proper and is indefinite. Thus, no art rejection has been applied. See *In re Steele*, 49 CCPA 1295, 134 USPQ 292 (1962). When the dependent claims are read in light of the independent claims, the Examiner cannot determine the metes and bounds of the claim language.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-17 of the claimed invention are directed to non-statutory subject matter. These claims feature limitations that are abstract and are not limited to a practical application or use of the abstract ideas. The limitations of the instant claims feature non-functional descriptive material. A claim is limited to a practical application when the method, as claimed, produces a concrete, tangible and useful result; i.e., the method recites a step or act of producing something that is concrete, tangible and useful. In this case, no such concrete, tangible and useful result has been claimed. See MPEP 2106 (IV). Furthermore, applicant is advised to review chapter 2100 – Patentability, as a means of guidance for the formulation of claims. The claims as presented do not meet the requirements as set forth as they are not in proper form for computer implemented claims.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-7, 11, 14, 18-20, and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Hill et al. US Patent No. 6,453,209 B1.

Hill et al. (hereinafter, "Hill") teach of a computer implemented method and system for designing and manufacturing vehicles. A database is provided for storing vehicle design data as it pertains to each vehicle or group of vehicles. A process sheet data structure is used to interrelate the tool, part, machining device, etc. so as to generate a data sheet that indicates the assembly process of the vehicle. In doing so, Hill teaches the use of coding products, manufacturing devices and resources; as well as forming a structured coding system as per claims 1-7, 11, and 14. The coded items are then linked or joined together by a common process identifier. The structured data sheet is shown on a display device so that the various units involved in the manufacturing process are able to view and update the manufacturing information.

The use of a manufacturing analysis apparatus or a computer-implemented product, as in claims 18-20, and 30, is inherent to the use of a computer system.

For the reasons stated above, the limitations of the claimed invention is taught by the prior art of record; thereby, rendering the instant claims unpatentable.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Markman USPN 5,962,834
teaches an inventory tracking system using bar codes

Nakamura USPN 6,892,943 B2
teaches a food product tracking system using identifiers

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheela Rao whose telephone number is (571) 272-3751. The examiner can normally be reached Monday - Friday from 8:30 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard, can be reached on (571) 272-3749. The fax number for the organization where this application or any proceeding papers is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. It should be noted that status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should any questions arise regarding access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sheela S. Rao
Patent Examiner
Art Unit 2125